

Patent
Attorney's Docket No. 005950-725

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of

Dennis J. O'REAR et al.

Application No.: 10/059,252

Filed: January 31, 2002

For: MANUFACTURE OF HIGH OCTANE
ALKYLATE

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SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

A check for [] \$55.00 (2814) [X] \$110.00 (1814) to cover the requisite Government fee is also attached. The Director is authorized to charge any fees that may be required by this paper, and to credit any overpayment, to Deposit Account 02-4800. This paper is submitted in duplicate.

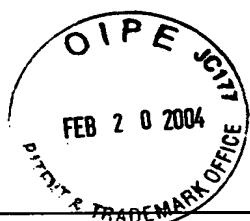
Respectfully submitted,

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Date: February 20, 2004

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**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
005950-725

In re Application of: Dennis J. O'REAR et al.

Application No.: 10/059,252

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For: MANUFACTURE OF HIGH OCTANE ALKYLATE

The owner*, Chevron U.S.A. Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending second application, Application Number 10/059,388, filed on January 31, 2002, the term being defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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- The undersigned is an attorney of record.

February 20, 2004

Date

Signature

E. Joseph Gess

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.